

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

IN RE: HOLOCAUST VICTIM ASSETS  
LITIGATION

This Document Relates to: All Cases

X

: Case No. CV 96-4849 (ERK)(MDG)  
: (Consolidated with CV 96-5161  
: and CV 97-461)

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: MEMORANDUM & ORDER  
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**MEMORANDUM & ORDER APPROVING SET 153: 22 AWARDS CERTIFIED BY THE  
CLAIMS RESOLUTION TRIBUNAL PURSUANT TO ARTICLE 31(2) OF THE RULES  
GOVERNING THE CLAIMS RESOLUTION PROCESS AND AUTHORIZING PAYMENT  
FROM THE SETTLEMENT FUND**

KORMAN, J.:

As provided under the Settlement Agreement, and in accordance with the procedures established in the December 8, 2000 Memorandum & Order and in the Distribution Plan, the Claims Resolution Tribunal (the "CRT") is hereby requesting the Court's approval, pursuant to Article 31(2) of the Rules, of 22 certified Awards listed in Annex A and the resources to pay these Awards through funds to be deposited in the Swiss Banks Settlement-Dormant Accounts-Payment Account from the Settlement Fund. The total amount of these 22 Awards is US \$952,821.75 (SF 1,095,745.01 converted at a rate of 1.15 Swiss Francs per U.S. Dollar).

With this one hundred and fifty-third set, a total of US \$451,159,835.48 will have been awarded thus far. This total amount is comprised of Awards issued under CRT I and CRT II combined, and Plausible Undocumented Awards (PUAs). Under CRT I alone, which took place from 1997 through 2000, 207 accounts, with a value of US \$18,184,492.00, were awarded as accounts that had belonged to Victims of Nazi Persecution. Under CRT II alone, 2,539 Awards for 4,067 accounts totaling US \$380,552,822.96 will have been made to date to Victims or Targets of Nazi Persecution making up the Deposited Assets Class, with the average Award amounting to US \$129,801.56.<sup>1</sup> The

<sup>1</sup> In calculating the average value, the Set 75 award and the two Set 110 awards were excluded because their size made them outliers that would have skewed the result. The calculation further excludes three denial reversals, as well as payments of decisions on appeal totaling US \$4,605,779.97.

total number of PUAs issued to date is 10,623 less 143 full and partial deductions totaling \$52,422,520.52.

This submission includes four Awards to four Primary Claimants who previously received a Plausible Undocumented Award (“PUA”), as detailed in Annex B to this Order. Each recipient was made aware at the time the PUA was awarded that, in the event the CRT located a Swiss Bank account or accounts to which he/she was entitled, the PUA amount of US \$5,000.00 already received would be deducted from any future award(s) that may be made in connection with such account(s). Therefore, the amount requested for transfer to the Swiss Banks Settlement-Dormant Accounts - Payment Account equals the award amount of US \$952,821.75 for the 22 Awards referred to above less US \$20,000.00 for previous PUA payments, for a total of US \$932,821.75.

As set forth in the Awards and as required by Article 31(3) of the Rules, the Certified Awards shall be paid in full by the Special Masters after approval of such Awards by the Court.

Therefore, it is hereby

ORDERED that the attached 22 Awards are hereby approved for payment pursuant to Article 31(2) of the Rules;

ORDERED that for the payment of these 22 Awards certified by the CRT and approved by the Court, less the 4 payments previously made in the form of PUAs, the Signatories of the Settlement Fund are hereby ordered to transfer immediately \$932,821.75 from the Settlement Fund to the Swiss Banks Settlement-Dormant Accounts-Payment Account;

It is further ordered that the Special Masters shall provide the Court with the name and address of every class member receiving an Award, which information shall be filed with the Court under seal.

I will issue additional orders approving Awards certified by the CRT and transferring further sums from the Settlement Fund as the CRT certifies them to this Court.

Dated: Brooklyn, New York  
December 18, 2007

SO ORDERED:

  
Edward R. Korman  
United States District Judge

# CLAIMS RESOLUTION TRIBUNAL

## **[BATCH CLIII] - ANNEX A**

Pursuant to Article 16 of the Rules Governing the Claims Resolution Tribunal, as amended, (the "Rules"), the Claims Resolution Tribunal hereby certifies as of 18 December 2007 the following Awards for approval by the Court and payment by the Special Masters:

<b>Account Owner Last Name and Claim Number</b>	<b>Award Amount (SFr.)</b>
1. Adler 787200/RS; 201129/RS*	58,387.50
2. Braun 209925/GO	11,484.38
3. Czitter 216602/RS; 221179/RS; 223378/RS; 300451/RS	53,500.00
4. di Giuseppe 210978/HS; 216187/HS	53,500.00
5. Feher 217702/MBC; 500356/MBC	26,750.00
6. Heller 003684/RS	26,750.00
7. Hess 772176/MI	49,375.00
8. Hofmann, Alexandre 716978/GO; 718086/GO	11,659.38
9. Hofmann, Jakob 726758/GO	10,375.00
10. Keller 204350/MBC; 721804/MBC; 722979/MBC; 726990/MBC; 752854/MBC; 784183/MBC; 754508/MBC*	10,375.00
11. Kollmann 401988/LH; 402008/LH	80,500.00
12. Léon 402245/DE	16,713.75
13. Levy, Aron 216414/RS; 216415/RS	189,250.00
14. Levy, Carl 741748/WI	49,375.00
15. Lissner 212511/LH; 208184/LH; 203637/LH*	26,750.00
16. Manes 220954/WT; 219629/WT; 300161/WT	15,500.00
17. Rosenbaum 202828/LH	53,500.00
18. Rothschild 789858/MI	31,000.00
19. Spielmann <i>et al</i> 207925/MBC	49,375.00
20. Steiner 209215/GO; 2092167GO; 209217/GO; 2092187GO*	49,375.00
21. Weiss 400509/WT	49,375.00
22. Wolf 705804/HB	172,875.00
<b>TOTAL</b>	<b>1,095,745.01</b>
<b>Total amount in US Dollars<sup>2</sup></b>	<b>952,821.75</b>

\* MPM Award

<sup>2</sup> Exchange rate as of 18 December 2007 of 1.15 Swiss Francs per U.S. Dollar.